

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**DOUGLAS WEST,**

Petitioner,

v.

**RON CHAMPION. Warden,**

Respondent.

**No. CIV 1997-243-JHP-KEW**

**ORDER AND OPINION**  
**DENYING CERTIFICATE OF APPEALABILITY**

Petitioner has filed a notice of intent to appeal the court's order entered September 23, 2009, denying his motions to alter or amend judgment. After a careful review of the record the court concludes petitioner has failed to make a "substantial showing of the denial of a constitutional right," as required by 28 U.S.C. § 2253(c)(2). The court further finds petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**ACCORDINGLY**, petitioner is denied a certificate of appealability.

**IT IS SO ORDERED** this 23rd day of October 2009.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma